

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFREY LEE MOURNING,

Plaintiff,

-against-

CHRISTOPHER WRAY, et al.,

Defendants.

23-CV-5109 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated June 22, 2023, the Court directed Plaintiff to either pay the \$402.00 in fees that are required to file a civil action in this court or submit a completed prisoner authorization within 30 days. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not paid the filing fees or filed an prisoner authorization.¹ Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal.

Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

¹ On July 20, 2023, the Court received from Plaintiff a letter in which he indicates that he does not intend to submit the required prisoner authorization. Plaintiff asserts that he had “completed the necessary documentation” to bring this action, and if the Court was “not going to file [his] papers please send them back with a Court Opinion and allow [him] to appeal to the Court of Appeal.” (ECF 6, at 1-2.)

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: July 24, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge